

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAMUHAMMAD KHAN,
Plaintiff,

v.

M. PAYTON, et al.,
Defendants.

Case No. 20-cv-03086-BLF (PR)

**ORDER DIRECTING
DEFENDANTS TO FILE
RESPONSE TO PLAINTIFF'S
MOTION FOR LEAVE TO SERVE
ADDITIONAL
INTERROGATORIES**

(Docket No. 88)

Plaintiff, a California inmate, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 against employees of San Quentin State Prison ("SQSP"). Defendants filed a motion for summary judgment on November 15, 2023. Dkt. No. 72. Plaintiff was granted a fourth and final extension of time, such that his opposition is due by July 29, 2024. Dkt. No. 87.

Plaintiff has filed a motion to serve Defendants with additional interrogatories. Dkt. No. 88. Federal Rule of Civil Procedure 33(a) governs the service of interrogatories on parties. "Leave to serve additional interrogatories may be granted to the extent consistent with Rule 26(b)(1) and (2)." Fed. R. Civ. P. 33(a)(1). Because it is unclear whether Defendants were noticed with this motion, the Court will grant Defendants an extension of time to file opposition to Plaintiff's motion, which is deemed a motion for administrative relief under Civil L.R. 7-11.

Defendants are directed to file an opposition to the motion **no later than July 9, 2024**, and the motion shall be deemed submitted as of that date. No reply shall be filed by

1 Plaintiff. The Court will, if necessary, consider whether briefing for Defendants' summary
2 judgment should be extended to allow Defendants the appropriate length of time to
3 respond to discovery under Fed. R. Civil P. 33(b)(2).

4 The Clerk shall reset the deadlines for this motion under Docket No. 88 consistent
5 with this order.

6 **IT IS SO ORDERED.**

7 Dated: July 3, 2024


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California

25 Order Directing Defs to file Response
26 PRO-SE\BLF\CR.20\03086Khan_interrog
27
28